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**PATENT** 

Attorney Docket No.: A-70965/RFT/NBC

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

1:48PM

JUL. 16. 2003

PEDERSEN et al.

Serial No. 09/960,018

Filed: September 20, 2001

For: A HEARING AID WITH

ADAPTIVE MICROPHONE

MATCHING

Examiner:

Not Yet Assigned

Group Art Unit:

Not Yet Assigned

## CERTIFICATE OF MAILING

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## INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicant wishes to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO-1449. Copies of the documents are enclosed.

None of the foregoing references are believed to disclose the invention as claimed.

Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.



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Serial No.: 09/960,018 Filed: September 20, 2001

This Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of a national stage, or before the mailing date of a first Office Action on the merits, 37 C.F.R. § 1.97(b), and therefor no fee is required. The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-70965/RFT/NBC).

Respectfully submitted,

FLEHR, HOHBACH, TEST, ALBRITTON & HERBERT

Dated:

Richard F. Trecartin

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PTO/SB/8A (08-00)

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Subs	titute for for	n 1449A/PTC		Complete if Known			
				Application Number	09/960,018		
			ISCLOSURE	Filing Date	September 20, 2001		
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(use as many sheets as necessary)		Examiner Name	Not Yet Assigned				
Sheet	1 1	of	1	Attorney Docket Number	A-70965/RFT/NBC		

U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	U.S. Patent Document			Date of Publication of	Pagos, Columns, Lines, Where Relevant	
		Number Kind Code <sup>2</sup> (1f known)		Kind Code <sup>2</sup> (If known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear
	1	5,608,803		Magotra et al.	03/1997		
	2	5,687,241		Ludvigsen	11/1997		
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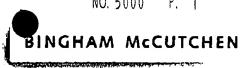
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Rxaminer Initials*	Cite No.1	Foreign Patent Document				Date of Publication of	Pages, Columns, Lines,	$\top$
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	3	DE	19822021	Al	Siemens Audiologische Technik	05/1998	English Abstract	+
-	4	DE	19849739	Al	Siemens Audiologische Technik	10/1998	English Abstract	
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Examiner Signature		Date Considered	
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 4 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 4 Applicant is to place a check mark here if English

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(415) 393-2404

## **Facsimile**

DATE July 16, 2003

	NAME	FAX	PHONE
ТО	Examiner McDowell USPTO	703-308-7749	703-308-9477

Attached is the Petition to Revive, Transmittal and supporting documents. Thanks for your

(415) 393-2286

Bingham McCulchen LIP

Three Embarcadero Center

San Francisco, CA

94111-4067

415.393.2000

FROM David G. Beck

david.beck@bingham.com

(including this cover page): 15 **PAGES** 

415,393,2286 fax

Petition to Revive RE

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Sincerely, David Beck

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